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Serial No. 10/060,568  
Attorney File No. 26683-003  
U.S. Express Mail Label No. ER 632449018 US

#### IV. REMARKS

##### A. Prior Office Actions Basis

Claims 1-60 are pending in the present Application. The drawing Figs. were objected to by the Examiner under 37 CFR Sec. 1.83(a) as failing to show every feature of the invention specified in the Claims. Claims 1-18, 21, 23, 25-30, 32-36, 38-39, 41, 43-44, 48-57, 59 and 60 were rejected under 35 USC Sec. 103(a) as being unpatentable over various combinations of patent references including Withers et al. in view of Medeiros, Hollub, Titus et al., Houser, and Soprano et al.

##### B. Amendment Overview

By this Amendment, the drawing Figs. have been amended, i.e., Fig. 4, and new drawing Figs. 5-8 have been added. The Specification has been amended on pages 4, 5, 7, 8, 9, 11 and 12 to amend the Brief Description of the Drawing Figs., add new identification numbers, and correct for minor typographical errors. Claims 19, 22, 24, 31, 37, 40, 42, 45, 46 and 58 have each been amended to avoid the rejection of each respective base claim under 37 CFR Sec. 103(a). Claims 1-18, 21, 23, 25-30, 32-36, 38-39, 41, 43-44, 48-57, 59 and 60 have each been canceled, without prejudice. The claims have been amended in accordance with 37 C.F.R. Sec. 1.121 as revised on July 30, 2003 and the required claim listing is included herewith. Arguments in favor of allowance of pending Claims 19, 20, 22, 24, 31, 37, 40, 42, 45, 46, 47 and 58, as amended, are also included. Amendments and additions to the Claims have been drawn from the Specification, Claims and Drawings as originally filed. Amendments to the Specification have been drawn from the Specification and Drawings as originally filed. Amendments to the Drawings have been drawn from the Specification and Claims as originally filed. New matter as described in 35 U.S.C. §132 has not been added to the Specification. The proposed changes should not, therefore, be objectionable. Accordingly, entry of these changes is hereby respectfully requested.

C. Amendments to the Specification

Amendments to the Specification (as originally filed) are included with this Amendment "A" in accordance with 37 C.F.R. Sec. 1.121 as revised on July 30, 2003.

1. The amendment to the Specification between paragraph [00019] on page 4 and paragraph [00020] on page 4 amends the Brief Description of The Drawings by adding a concise statement describing the content of each of the new drawing Figs. 5-8. The support for each of the new drawing Figs. 5-8 is set forth in Remarks Section IV.D immediately below.

2. The amendment to paragraph [00022] on page 5 sets forth the identification number for the waste containers as 29 as is shown in new Figs. 5-8. The waste container originally appears in the Specification as filed on page 5, paragraph [00022], line 3. The remainder of paragraph [00022] remains unchanged.

3. The amendment to paragraph [00033] on page 7 sets forth the identification numbers for the following structure shown in new Figs. 5-8: transportation vehicle 31 originally disclosed in paragraph [00033], line 2; containment section 33 originally disclosed in paragraph [00033], lines 2-3; sub micron filtered exhaust 34 originally disclosed in paragraph [00033], lines 5; and brackets and/or safety rail 35 originally disclosed in paragraph [00033], line 11. The remainder of paragraph [00033] remains unchanged.

4. The amendment to paragraph [00037] on page 8 corrects minor typographical errors including the addition of the connector "by" on line 4 and the addition of a comma after "e.g.," on line 6.

5. The amendment to paragraph [00038] on page 9 sets forth the identification numbers for the following structure shown in Figs. 1-8: waste processing site 28 originally disclosed in Fig. 2 and on page 8 in paragraph [00035], line 1; conveyor belt 41 originally disclosed in paragraph [00038], page 9, line 4; waste disposal system 43 originally disclosed in paragraph [00038], page 9, lines 4-5; horizontal section 45 of the conveyor belt 41 originally disclosed in paragraph [00038], page 9, line 6; elevator mechanism 47 originally disclosed in paragraph [00038], page 9, line 8; roller conveyor

system 48 originally disclosed in paragraph [00038], page 9, line 8; and mechanical system 49 originally claimed in pending Claim 22 and referred to in paragraph [00038], page 9, line 9.

6. The amendment to paragraph [00039] on page 9 sets forth: the identification number for the step of identifying useful commercial products 82 originally disclosed in paragraph [00039], page 9, line 7; and corrects typographical errors directed to changing "on site" to - - on-site - - and to changing "nonleacheable" to - - non-leachable - - to maintain consistency throughout the specification.

7. The amendment to paragraph [00048] on page 11 sets forth: the identification number for the step of planning and scheduling the treatment 84 of waste originally disclosed in paragraph [00048], page 11, line 3; and changing "drop off" to - - drop-off - - and changing "pick up" to - - pick-up - -, and identifying waste disposal system 43.

8. The amendment to paragraph [00052] on page 12 sets forth the identification numbers for the following steps: specific type and composition of the waste 86 originally disclosed in paragraph [00052] on page 12, lines 4-5; estimating the carbon content 88 of the incoming waste originally disclosed in paragraph [00052], page 12, line 7; and utilizing the waste itself as a fuel 90 to operate the waste disposal system 43 originally disclosed in paragraph [00052], page 12, lines 7-8.

9. The amendment to paragraph [00053] on page 12 sets forth the identification numbers for the following steps: information about the end-products' yield and recyclability 92 originally disclosed in paragraph [00053], page 12, line 1; correlating the yield and recyclability 92 to the type and composition of the waste 86 originally disclosed in paragraph [00053], page 12, lines 1-2; and determining and/or adjusting the waste disposal fee 94 originally disclosed in paragraph [00053], page 12, lines 2-3.

10. The amendments to the Specification are clearly supported by the Specification as originally filed in the presently pending application as set forth in this Subsection IV.C. It is respectfully requested that the proposed amendments to the Specification be made of record.

D. Amendments to the Drawings

The drawing Figures have been amended as follows.

1. Fig. 4 has been amended and a "Replacement Sheet" has been included herewith to substitute for Fig. 4 as originally filed. The drawings were rejected by the Examiner on page 2 of Paper No. 5 because certain features recited in the Claims were not shown in the drawing Figs. as originally filed. Those features are now shown in Replacement sheet for Fig. 4 and include:

(a) the feature of identifying useful commercial products 82 shown in amended Fig. 4 was originally disclosed in paragraph [00039], page 9, line 7 of the Specification as originally filed;

(b) the feature of utilizing information about the waste to predict an arrival time at the waste processing site for planning and scheduling the treatment 84 of waste shown in amended Fig. 4 was originally disclosed in paragraph [00047], page 11, lines 1-7 and in paragraph [00048], page 11, line 3 of the specification as originally filed;

(c) the feature of collecting data relating to the end products generated from the specific type and composition of the waste 86 shown in amended Fig. 4 was originally disclosed in paragraph [00052] on page 12, lines 4-5 of the Specification as originally filed;

(d) the feature of estimating the carbon content 88 of the incoming waste shown in amended Fig. 4 was originally disclosed in paragraph [00052], page 12, line 7 of the Specification as originally filed;

(e) the feature of utilizing the waste itself as a fuel 90 to operate the waste disposal system 43 shown in amended Fig. 4 was originally disclosed in paragraph [00052], page 12, lines 7-8 of the Specification as originally filed;

(f) the feature of collecting information about the end-products' yield and recyclability 92 and of correlating the yield and recyclability 92 to the type and composition of the waste 86, both shown in amended Fig. 4 were each originally disclosed in paragraph [00053], page 12, lines 1-2 of the Specification as originally filed; and

(g) the feature of determining and/or adjusting the waste disposal fee 94 shown in amended Fig. 4 was originally disclosed in paragraph [00053], page 12, lines 2-3 of the Specification as originally filed.

2. New Figure 5 is enclosed and illustrates a side elevation, partially cutaway, of a transportation vehicle 31 having a containment section 33 including a sub-micron filter exhaust 34 and a safety rail 35 for safely transporting a plurality of waste containers 29 to a waste processing site 28. The structure in this new Fig. 5 was originally disclosed in the Specification as follows:

- (a) waste processing site 28: page 8, paragraph [00035], line 1;
- (b) waste containers 29: page 5, paragraph [00022], line 3;
- (c) transportation vehicle 31: page 7, paragraph [00033], line 2;
- (d) containment section 33: page 7, paragraph [00033], lines 2-3;
- (e) sub micron filter exhaust 34: page 7, paragraph [00033], line 5;
- (f) brackets and/or safety rail 35: page 7, paragraph [00033], ln 11;

3. New Fig. 6 is enclosed and illustrates a fragmented side elevation of the rear end of the transportation vehicle 31 of Fig. 5 showing the waste containers 29 being loaded onto a horizontal section 45 of a conveyor belt 41 for delivery to a waste disposal system 43. New structural components whose original disclosure in the Specification is not listed in the previous paragraph include:

- (a) conveyor belt 41: page 9, paragraph [00038], line 4;
- (b) waste disposal system 43: page 9, paragraph [00038], lines 4-5;
- (c) horizontal section 45: page 9, paragraph [00038], line 6.

4. New Fig. 7 is enclosed and illustrates a fragmented side elevation of the processing system 40 showing the waste containers 29 being transported by the horizontal section 45 of the conveyor belt 41, an elevator mechanism 47, and a roller conveyor system 48 towards the waste disposal system 43. New structural components whose original disclosure in the Specification is not listed in a previous paragraph include:

- (a) elevator mechanism 47: page 9, paragraph [00038], line 8; and
- (b) roller conveyor system 48: page 9, paragraph [00038], line 8.

5. New Fig. 8 is enclosed and illustrates a perspective view of the processing system 40 showing the waste containers 29 being transported across the conveyor belt 41 and up the elevator mechanism 47, across the roller conveyor system 48, and being emptied via a mechanical system 49 into the waste disposal system 43. New structural components whose original disclosure in the Specification is not listed in a previous paragraph include:

- (a) mechanical system 49: originally disclosed in Claim 22, page 17, lines 1-5, and referred to in paragraph [00038], page 9, line 9.

E. Arguments

(1) The drawing Figs. have been amended. Drawing Fig. 4 has been amended to include several of the features that the Examiner objected to under 37 CFR Sec. 1.83(a) as not being present in the drawings as originally filed. Further, new drawing Figs. 5-8 are enclosed that disclose the remaining structural features recited in the amended claims of the present invention. Therefore, the Examiner is respectfully requested to withdraw the objection to the drawing Figs.

(2) The Specification has been amended to include the identification numbers associated with the structure and features shown in the drawing Figs. 1-8, each of the features being supported by the Specification, Drawings and Claims as originally filed.

(3) Claims 1-18, 21, 23, 25-30, 32-36, 38-39, 41, 43-44, 48-57, 59 and 60 have each been canceled, without prejudice. Applicant traverses the Examiners rejections and will pursue the subject matter of the cancelled claims in a continuing application.

(4) The claims objected to by the Examiner have each been amended to include each of the limitations of the independent claims from which they depend in accordance with the Examiner's suggestion.


Thus, Applicant respectfully requests that amended independent Claims 19, 20, 22, 24, 31, 37, 40, 42, 45, 46, 47 and 58 be allowed and such action is earnestly solicited.

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The Examiner is invited and encouraged to initiate a telephone conference with Applicants' attorney at the telephone number listed below if the Examiner believes that such a conference would expedite allowance of the pending claims. Telephone calls may be directed to William Steffin at (213) 580-7978.

Respectfully submitted,

By

  
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